

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION**

JESUS POSADA

Petitioner

V.

UNITED STATES OF AMERICA,

Respondent

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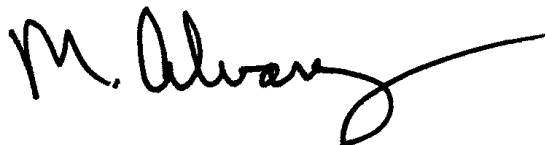
CRIMINAL NO. 03-CR-1785
CIVIL NO. 04-CV-173

ORDER

Pending before the Court is Petitioner Jesus Posada's Application to Proceed In Forma Pauperis. The record shows that petitioner has not fully complied with the amended provisions of 28 U.S.C. §1915. In order to proceed In Forma Pauperis, a prisoner must comply with the requirements of 28 U.S.C. § 1915(a)(1) and (a)(2). Petitioner has provided the Court with an affidavit stating that he is unable to pay the necessary fees and has included a statement of his assets in compliance with 28 U.S.C. § 1915(a)(1). However, Petitioner has not complied with 28 U.S.C. § 1915(a)(2) and has not provided the Court with a certified copy of his trust account statement or institutional equivalent for the 6 months preceding the filing of Petitioner's § 2255 motion. Therefore, Petitioner's request to proceed In Forma Pauperis is DENIED WITHOUT PREJUDICE.

IT IS SO ORDERED.

DONE this ___ day of May 2005, in Laredo, Texas.



UNITED STATES DISTRICT JUDGE